

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CARLOS ZELAYA, RUTH ZELAYA, by her Guardian Ad Litem Carlos Zelaya, and CARLOS ZELAYA, as the Administrator Ad Prosequendum of the Estate of JOSE CARLO ZELAYA, deceased,	:	x
Plaintiffs,	:	
v.	:	
MADISON SQUARE GARDEN, L.P., CABLEVISION SYSTEMS CORPORATION, STITCH BAR & LOUNGE, INC., and KEVIN FREIBOTT,	:	
Defendants.	:	x

**MOTION TO ADMIT
COUNSEL
RICHARD W. SMITH
PRO HAC VICE**

Pursuant to RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, Michael S. Sommer a member in good standing of the bar of this Court, hereby move for an Order allowing the admission pro hac vice of

Applicant's Name: Richard W. Smith
Firm Name: McDermott Will & Emery LLP
Address: 600 Thirteenth Street, N.W.
City/State/Zip: Washington D.C. 20005-3096
Phone Number: 202.756.8000
Fax Number: 202.756.8087

Richard W. Smith is a member in good standing of the Bar of the District of Columbia and Georgia. There are no pending disciplinary proceedings against Richard W. Smith in any State or Federal Court.

Dated: June 2, 2008
New York, NY

Respectfully submitted,



Michael S. Sommer
MS-2727
McDermott Will & Emery LLP
340 Madison Avenue
New York, NY 10173-1922
212.547.5400
212.547.5444

Attorneys for Defendants
Cablevision Systems Corp. and
Madison Square Garden, LP.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CARLOS ZELAYA, RUTH ZELAYA, by her Guardian Ad Litem Carlos Zelaya, and CARLOS ZELAYA, as the Administrator Ad Prosequendum of the Estate of JOSE CARLO ZELAYA, deceased,	:	x
Plaintiffs,	:	08-cv-2933 (LMM)
v.	:	
MADISON SQUARE GARDEN, L.P., CABLEVISION SYSTEMS CORPORATION, STITCH BAR & LOUNGE, INC., and KEVIN FREIBOTT,	:	
Defendants.	:	

**AFFIDAVIT OF
MICHAEL S. SOMMER
IN SUPPORT OF MOTION
TO ADMIT COUNSEL
RICHARD W. SMITH
PRO HAC VICE**

State of New York)
)
) ss:
County of New York)

Michael S. Sommer, being duly sworn, hereby deposes and says as follows:

1. I am a partner at McDermott Will & Emery LLP, counsel for Defendants Madison Square Garden LP and Cablevision Systems Corporation (collectively, "Defendants") in the above-captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Defendants' motion to admit Richard W. Smith as counsel pro hac vice to represent Defendants this matter.
2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in 1988. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.
3. I have known of Richard W. Smith since he joined the firm in 2004.
4. Mr. Smith is a partner in McDermott Will & Emery's Washington, D.C. office.

5. I have found Mr. Smith to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar the Federal Rules and Procedure.

6. Accordingly, I am pleased to move the admission of Richard W. Smith, pro hac vice.

7. I respectfully submit a proposed order granting the admission of Richard W. Smith, pro hac vice, which is attached hereto as Exhibit A.

WHEREFORE it is respectfully requested that the motion to admit Richard W. Smith, pro hac vice, to represent Defendants in the above-captioned matter, be granted.

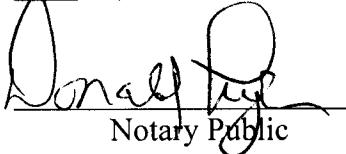
Dated: June 2, 2008
New York, N.Y.

Respectfully submitted,



Michael S. Sommer (MS-2727)

Sworn to before me this
2nd day of June 2008


Notary Public

DONALD RICHARD PUGLIESE
Notary Public, State of New York
No. 021-3317057
Qualified in Suffolk County
Commission Expires April 9, 2011

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CARLOS ZELAYA, RUTH ZELAYA, by her Guardian Ad Litem Carlos Zelaya, and CARLOS ZELAYA, as the Administrator Ad Prosequendum of the Estate of JOSE CARLO ZELAYA, deceased,	x	
Plaintiffs,	:	08-cv-2933 (LMM)
v.	:	
MADISON SQUARE GARDEN, L.P., CABLEVISION SYSTEMS CORPORATION, STITCH BAR & LOUNGE, INC., and KEVIN FREIBOTT,	:	ORDER FOR ADMISSION OF RICHARD W. SMITH PRO HAC VICE ON WRITTEN MOTION
Defendants.	:	

Upon the motion of Michael S. Sommer, attorney for Defendants Madison Square Garden LP and Cablevision Systems Corporation and said sponsor attorney's affidavit in support;

IT IS HEREBY ORDERED that

Applicant's Name: Richard W. Smith
Firm Name: McDermott Will & Emery LLP
Address: 600 Thirteenth Street, N.W.
City/State/Zip: Washington D.C. 20005-3096
Phone/Fax: 202.756.8000 / 202.756.8087
Email Address: RWSmith@mwe.com

Is admitted to practice pro hac vice as counsel for Defendants Madison Square Garden LP and Cablevision Systems Corporation in the above-captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the pro hac vice fee to the Clerk of Court.

Dated: June 2, 2008
New York, NY

United States District/Magistrate Judge



District of Columbia Court of Appeals
Committee on Admissions
500 Indiana Avenue, N.W. — Room 4200
Washington, D.C. 20001
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia
Court of Appeals, do hereby certify that

RICHARD W. SMITH

was on the 10th day of DECEMBER, 1999

duly qualified and admitted as an attorney and counselor and
entitled to practice before this Court and is, on the date
indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have
hereunto subscribed my name
and affixed the seal of this
Court at the City of
Washington, D.C., on May 29,
2008.

GARLAND PINKSTON, JR., CLERK

By: G. Jackson
Deputy Clerk



STATE BAR OF GEORGIA

Lawyers Serving the Public and the Justice System

Mr. Richard Wettersten Smith
McDermott Will & Emery LLP
600 13th Street, N.W.
Washington, DC 20005

CURRENT STATUS: **Inactive Member-Good Standing**
DATE OF ADMISSION: **05/03/1999**
BAR NUMBER: **662690**
TODAY'S DATE: **May 30, 2008**

Listed below are the public disciplinary actions, if any, which have been taken against this member:

State Disciplinary Board Docket #	Supreme Court Docket #	Disposition
N/A	N/A	N/A

The prerequisites for practicing law in the State of Georgia are as follows:

- **Must be certified by the Office of Bar Admissions, either by Exam, or on Motion (Reciprocity).**
- **Sworn in to the Superior Court in Georgia, which is the highest court needed for individuals to practice law in the State of Georgia.**
- **Enrolled with the State Bar of Georgia, which is an arm of the Supreme Court of Georgia.**

Attorneys licensed in Georgia and whose membership is current are eligible to practice law in Superior Court. Attorneys may, upon application, apply for admission to the Supreme, District and State Court of Appeals.

Under the privacy/confidentiality provision of the Bar Rule 4-221(d), any complaint against a member resolved prior to the filing and docketing of a disciplinary case in the Supreme Court is not a matter of public record, and may not be revealed without a waiver from the member. It is the policy of the State Bar of Georgia to answer any inquiry about a member by disclosing only those complaints that have been docketed in the Supreme Court. With respect to matters that are currently pending as active, undocketed cases, when an inquiry is received, the State Bar of Georgia shall not disclose the existence of those complaints. Such non-disclosure should not be construed to confirm the existence of confidential complaints since the vast majority of members in good standing are not the subjects of such confidential complaints.

This member is currently in **"good standing"** as termed and defined by **State Bar Rule 1-204**. The member is current in license fees and is not suspended or disbarred as of the date of this letter.



STATE BAR OF GEORGIA

Official Representative of the State Bar of Georgia

HEADQUARTERS

104 Marietta Street, Suite 100
 Atlanta, Georgia 30303
 (404) 527-8700 ■ (800) 334-6865
 FAX (404) 527-8717
 www.gabar.org

SOUTH GEORGIA

244 E. Second Street (Zip 31794)
 P.O. Box 1390
 Tifton, Georgia 31793-1390
 (229) 387-0446 ■ (800) 330-0446
 FAX (229) 382-7435

CERTIFICATE OF SERVICE

Robert Candella, pursuant to 28 USC 1746, hereby declares under penalty of perjury, that on the 2nd day of June, 2008, I caused the accompanying motion for pro hac vice to be served via United States First Class Mail upon all parties herein.



Robert Candella